

CHAPTER 3  
TRAFFIC CODE

Section 3.01	TITLE
Section 3.02	STATE TRAFFIC LAWS AND ADMINISTRATIVE CODE RULES ADOPTED
Section 3.03	OFFICIAL TRAFFIC CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS
Section 3.04	SPEED LIMITS
Section 3.05	THROUGH HIGHWAYS AND CONTROLLED INTERSECTIONS
Section 3.055	WEIGHT LIMITS, HEAVY TRAFFIC ROUTES & NO TRUCKING ON CERTAIN ROADS
Section 3.06	PARKING REGULATIONS
Section 3.07	ACCIDENT REPORTS
Section 3.08	BICYCLE REGULATIONS
Section 3.09	PENALTIES
Section 3.10	ENFORCEMENT
Section 3.11	DIVISIBILITY OF PROVISIONS

**TRAFFIC CODE**

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**CHAPTER 3**

**Section 3.01. TITLE.** This Chapter shall be known as the "Traffic Code" of the Village of River Hills, and shall be referred to in this Chapter as "this code."

**Section 3.02. STATE TRAFFIC LAWS AND ADMINISTRATIVE CODE RULES ADOPTED.** Except as otherwise specifically provided in this code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, and the rules of the Department of Transportation including the provisions of the Wisconsin Administrative Code, Chapter Trans 305 describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this code as if fully set forth herein. Any act required to be performed or any act prohibited by any Statute or Administrative Code Rule incorporated herein by reference, is required or prohibited by this code. Any future amendments, revisions or modifications of the Statute or Administrative Code incorporated herein are intended to be made a part of this code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

**Section 3.03. OFFICIAL TRAFFIC CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.**

(1) Duty of Village Manager to Erect and Install Uniform Traffic Control Devices. Whenever traffic regulations created by this code, including State of Wisconsin traffic regulations adopted by reference in Section 3.02 require the erection of traffic control devices for enforcement, the Village Manager shall procure, erect, and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulations to the users of the streets and highways on which such regulations apply. Whenever state law grants discretion to local authority as to the erection or placement of a uniform traffic control device, devices shall be erected to such locations and in such manner as in the judgment of the Village Manager, subject to the approval of the Village Board, will carry out the purposes of this code, and give adequate notice to users of the streets and highways of the Village.

(2) Prohibited Signs and Markers in Highways. No person, other than those authorized to erect and maintain official traffic control devices, shall place within the limits of any street or highway maintained by the Village any sign, signal, marker, mark, or monument unless permission is first obtained from the Village board and the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to

removal as provided in subsection (3).

(3) Removal of Unofficial Signs, Markers, Signals, and Traffic Control Devices. The Village Manager may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this code or state law. Any charge imposed against any premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the Village Manager to the Village Board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15th shall be placed upon the tax roll for collection as other special municipal taxes.

**Section 3.04. SPEED LIMITS.** The Village Board hereby determines that the statutory speed limits on the streets and highways of the Village are unreasonable, unsafe and imprudent and modifies such speed limits as follows:

(1) The speed limits upon all streets and highways within the Village of River Hills shall be 30 miles per hour, except as hereinafter specifically provided in this section.

(2) On West Green Tree Road within the limits of the Village the speed limit shall be 25 miles per hour.

(3) On West Brown Deer Road the speed limit shall be 45 miles per hour between the west limits of the Village and a point 0.50 mile west of Interstate Highway I-43.

(4) On West Brown Deer Road the speed limit shall be 35 miles per hour from the east limits of the Village to a point 0.50 mile west of Interstate Highway I-43.

(5) On Interstate Highway I-43 the speed limit within the Village shall be 55 miles per hour on all through lanes of traffic, and 20 miles per hour on all intersection ramps.

(6) On North Green Bay Road within the limits of the Village the speed limit shall be 40 miles per hour.

(7) On North Spruce Road, southerly from its intersection with West Brown Deer Road, the speed limit shall be 25 miles per hour.

(8) On North Hawthorne Road, southerly from its intersection with West Brown Deer Road, the speed limit shall be 25 miles per hour.

(9) On West Larkspur Lane the speed limit shall be 25 miles per hour.

(10) On West Heather Lane the speed limit shall be 25 miles per hour from its westerly terminus to a point 1,000 feet east of the intersection of said road with North Spruce Road.

(11) On West Good Hope Road the speed limit shall be 30 miles per hour between the east limits of the Village and the center line of North Pheasant Lane and 40 miles per hour between the center line of North Pheasant Lane and the west limits of the Village.

(12) On North Spruce Road, north of West Fairy Chasm Road and on Spruce Court the speed limit shall be 25 miles per hour.

(13) On North Spruce Road between West Brown Deer Road and West Fairy Chasm Road, the speed limit shall be 30 miles per hour.

(14) On North River Bend Court and on that part of the West Cedar Lane west of Upper River Road, the speed limit shall be 25 miles per hour.

(15) On North Upper River Road the speed limit shall be 25 miles per hour from its intersection with West Brown Deer Road to a point 2,450 feet to the north.

(16) On West Bradley Road from the east line of the intersection of West Bradley Road and North Green Bay Road to the west line of the intersection of West Bradley Road and North Range Line Road the speed limit shall be 25 miles per hour. (Cr. Ord. 563, 8/17/22)

(17) On North Range Line Road within the limits of the Village the speed limit shall be 25 miles per hour. (Cr. Ord. 565, 10/3/22)

**Section 3.05. THROUGH HIGHWAYS AND CONTROLLED INTERSECTIONS.**

(1) Through Highways Designated. In the interest of public safety and pursuant to authority granted by Wisconsin law, the following highways or portions thereof are declared to be through highways.

[a] State Trunk Highway No. 100 (West Brown Deer Road) within the limits of the Village.

[b] State Trunk Highway No. 57 (North Green Bay Road) within the limits of the Village.

[c] North Range Line Road within the limits of the Village.

[d] Interstate Highway I-43 within the limits of the Village.

[e] West Good Hope Road within the limits of the Village.

(2) Controlled Intersections Designated. In the interest of public safety, the following intersections are declared controlled intersections and traffic control signals shall be installed

thereon in conformity with the Wisconsin Official Traffic Control Device Manual and the provisions of this code:

[a] At the intersection of the southbound exit ramp from Interstate Highway I-43 with West Good Hope Road.

[b] On West Good Hope Road at the east and west intersection with the entrance and exit ramps leading to and from Interstate Highway I-43.

[c] At the north and south lines of the intersection of North Range Line Road and West Brown Deer Road (State Trunk Highway 100).

[d] At the east and west lines of the intersection of West Brown Deer Road (State Trunk Highway 100) and North Range Line Road.

(3) Designation of Location of Stop Signs. In the interests of public safety, stop signs shall be installed at the following locations to control traffic on the highways over which the Village has jurisdiction (Ord#509 8/25/09)

[a] At the east line of the intersection of West Calumet Road and North River Road.

[b] At the east and west lines of the intersection of West Bradley Road and North River Road.

[c] At the south line of the intersection of North River Road and West Dean Road.

[d] At the west line of the intersection of West Calumet Road and North Pheasant Lane.

[e] At the south line of the intersection of Upper River Road and County Line Road.

[f] At the south line of the intersection of North Pheasant Lane and west Bradley Road.

[g] At the north line of the intersection of Dean Court and West Dean Road.

[h] At the north line of the intersection of Green Tree Court and Green Tree Road.

[i] At the east line of the intersection of West Fairy Chasm Road and North Range Line Road.

- [j] At the south line of the intersection of North Range Line Road and West County Line Road.
- [k] At the south line of the intersection of North Elm Tree Road and West Green Tree Road.
- [l] At the east line of the intersection of West Skyline Road and North River Road.
- [m] At the south line of the intersection of North Jean Nicolet Road and West Green Tree Road.
- [n] At the north line of the intersection of the Good Hope Road interchange ramp with East Good Hope Road.
- [o] At the east line of the intersection of West Cedar Lane and North Range Line Road.
- [p] At the east, north, west, and south lines of the intersection of North Spruce Road and West Fairy Chasm Road.
- [q] At the east line of the intersection of West Dean Road and North Range Line Road.
- [r] At the west line of the intersection of West County Line Road and Interstate Highway I-43.
- [s] At the west line of the intersection of West Dean Road and North Pheasant Lane.
- [t] At the north and south lines of the intersection of North Spruce Road and West Brown Deer Road.
- [u] At the south line of the intersection of North Hawthorne Road and West Brown Deer Road.
- [v] At the east line of the intersection of Pelican Lane and North Green Bay Road.
- [w] At the east line of the intersection of West Bradley Road and North Green Bay Road.
- [x] At the north and south line of the intersection of North Range Line Road

and West Brown Deer Road.

[y] At the north line of the intersection of Upper River Road and West Brown Deer Road.

[z] At the west line of the intersection of West County Line Road and North Range Line Road.

[aa] At the west line of the intersection of West Bradley Road and North Range Line Road.

[bb] At the north and south lines of the intersection of North River Road and West Good Hope Road.

[cc] At the north line of the intersection of North Pheasant Lane and West Good Hope Road.

[dd] At the west line of the intersection of West River Court and North River Road.

[ee] At the east and west lines of the intersections of West Pheasant Court and North Pheasant Lane.

[ff] At the south line of the intersection of North River Road and West Dean Road.

[gg] At the north line of the intersection of North Pheasant Lane and West County Line Road.

[hh] At the west line of the intersection of West Heather Lane and North Spruce Road.

[ii] At the east line of the intersection of West Spruce Court and North Spruce Road.

[jj] At the south line of the intersection of North River Road and West Brown Deer Road.

[kk] At the south line of the intersection of Valley Hill Road and County Line Road.

[ll] At the west line of the intersection of Valley Hill Road and Range Line Road.

- [mm] At the west line of the intersection of Cedar Lane and North Upper River Road.
- [nn] At the west line of the intersection of River Bend Court and North Upper River Road.
- [oo] At the west line of the intersection of West Dean Road and North Range Line Road.
- [pp] At the west line of the intersection of West Greenbrook Road and North Range Line Road.
- [qq] At the west line of the intersection of Deer Creek Court and North Range Line Road.
- [rr] At the south line of the intersection of West Greenbrook Road and West Fairy Chasm Road.
- [ss] At the west line of the intersection of West Greenbrook Road and North Spruce Road.
- [tt] Repealed (Ord#570, 11/21/22)
- [uu] At the wet line of the intersection of West Lodgewood Court and North Lodgewood Road.
- [vv] At the east line of the intersection of West Manor Lane and North Spruce Road.
- [ww] At the west line of the intersection of West Manor Lane and North Spruce Road.
- [xx] At the west line of the intersection of West Calumet Court and North River Road.
- [yy] At the northeast line of the intersection of North Green Bay court and North Green Bay Road.
- [zz] At the east line of the intersection of North Pheasant Lane with West Calumet Road.
- [aaa] At the east and west lines of the intersection of West Green Tree Road and North River Road.



[bbb] At the north line of the intersection of North River Road with Green tree Road.

[ccc] Repealed (Ord#570, 11/21/22)

[ddd] At the south line of the intersection of North Hawthorne Road and West Heather Lane.

[eee] At the east and west lines of the intersection of West Dean Road and North River Road.

[fff] At the east line of the intersection of West Heather Lane and North Spruce Road.

[ggg] At the east line of the intersection of West Greenbrook Road and North Upper River Road.

[hhh] At the east and west lines of the intersection of West Green Tree Road and Jean Nicolet Road (Am. Ord#509, 8/25/09)

(4) Prohibited Turns. In the interest of public safety, vehicles approaching the following intersections, streets or highways shall be prohibited from making the following turning movements and such prohibition shall be posted on official traffic signs where the turn is prohibited. (Cr. Ord#501, 6/19/07)

[a] Left turns are prohibited onto westbound Green Tree Road from northbound Jean Nicolet Road between the hours of 6:30 a.m. and 7:30 a.m. Monday through Friday from the 1<sup>st</sup> of September to the following 15<sup>th</sup> of June. (Cr. Ord#501, 6/19/07)

**Section 3.055. WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES. (Cr. Ord. 564, 8/17/22)**

(1) Class “A” highways. Brown Deer Road, Good Hope Road, Green Bay Road and Interstate Highway I-43 are hereby designated Class “A” highways, and the weight limitations established in § 348.15, Wis. Stats., shall be applicable thereto.

(2) Class “B” highways. All streets except those set out in Subsection A of this section are hereby designated Class “B” highways, and the weight limitations established in § 348.16, Wis. Stats., shall be applicable thereto.

(3) No trucking. (Am. Ord 566, 10/19/22)

- a. North Range Line Road. No vehicle which is not equipped with pneumatic tires or has a combined vehicle load weight exceeding

8,000 pounds, except a motor bus, shall be operated on North Range Line Road within the limits of the Village, except for the purpose of picking up or delivering materials (including refuse or recyclables), supplies or commodities, which pickups or deliveries originate from or terminate within the Village. Authorized emergency vehicles and state, county and municipality-owned vehicles are exempt from this subsection. In no event shall the weight of the vehicle and load in such case exceed the limitations of § 348.15 or 348.16, Wis. Stats., pertaining to Class "A" or "B" highways.

- b. West Bradley Road. No vehicle which is not equipped with pneumatic tires or has a combined vehicle load weight exceeding 8,000 pounds, except a motor bus, shall be operated on West Bradley Road from the intersection of West Bradley Road and North Green Bay Road to the intersection of West Bradley Road and North Range Line Road except for the purpose of picking up or delivering materials (including refuse or recyclables), supplies or commodities, which pickups or deliveries originate from or terminate within the Village. Authorized emergency vehicles and state, county and municipality-owned vehicles are exempt from this subsection. In no event shall the weight of the vehicle and load in such case exceed the limitations of § 348.15 or 348.16, Wis. Stats., pertaining to Class "A" or "B" highways.
- c. The provisions of this section do not apply to any street if seasonal weight restrictions have been imposed under § 348.17, Wis. Stats.

(4) Heavy traffic routes. The highways designated as Class "A" highways are hereby designated as heavy traffic routes.

### **Section 3.06. PARKING REGULATIONS.**

(1) Parking Prohibited. It shall be unlawful for any person to park, stop, or leave standing any vehicle, whether attended or unattended, upon any street or highway within this Village, except when it is necessary to avoid conflict with other traffic or to comply with the directions of a traffic officer or traffic control sign or signal, and except as set forth in subsection (2) hereof.

(2) Exceptions.

[a] The Police Department may, in the event of special occasions being conducted upon premises within the Village, permit the parking of vehicles upon streets and highways adjacent thereto by persons attending such special event; provided that said Department determines that such parking will not interfere with traffic upon such streets or highways.

[b] The driver of any taxicab may temporarily park such vehicle upon any street or highway in this Village for the purpose of and while actually engaged in loading or unloading passengers.

(3) Removal of Illegally Parked Vehicles. Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this Section or Section (2) of this code is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping or standing is not prohibited. Any police officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Section is authorized to remove such vehicle to a position where parking is not prohibited. The officer may employ a motor carrier holding a permit to perform vehicle towing services to remove and store such vehicle in a storage or parking facility. In addition to other penalties provided by Section 3.09 of this code, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

(4) Registration Record of Vehicle as Evidence. When any vehicle is found upon a street or highway in violation of the provision of this Section regulating the stopping, standing, or parking of vehicles and the identity of the operator cannot be determined, the owner as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation or a comparable authority of any other state, shall be subject to the applicable penalties.

### **Section 3.07. ACCIDENT REPORTS.**

(1) Operations to file. The operator of any vehicle involved in an accident resulting in injury to or death of any person, or damage to state or other government-owned property to an apparent extent of Two Hundred (\$200.00) Dollars or more or total damage to property owner by any person to an apparent extent of Five Hundred (\$500.00) Dollars or more, shall within ten (10) days after such accident file with the Village Police Department a copy of the accident report required by §346.70 and 346.73, Wisconsin Statutes.

(2) Reports Confidential. Accident reports filed under this Section shall be for the confidential use of the department and shall not be open to public inspection nor be used as evidence in any trial or proceeding, except as permitted by §346.70 and 346.73, Wisconsin Statutes.

### **Section 3.08. BICYCLE REGULATIONS.**

(1) State Traffic Code Adopted. Section 3.02 of this code is applicable to bicycles and play vehicles. (Amd. Ord. #538, 11/20/19)

### **Section 3.09. PENALTIES.**

(1) Forfeiture Penalty. The penalty for violation of any provisions of this Code shall

be a forfeiture as hereinafter provided, the penalty assessment imposed by s. 165.87 Wis. Stats. and the jail assessment imposed by s. 53.46(1) Wis. Stats., where such assessments are applicable, together with the costs of prosecution. Payment of the judgment may be suspended by the sentencing judge for not more than sixty (60) days. Any persons failing to pay the forfeitures, penalty assessments, jail assessments and costs may, upon order of the court entering judgment and having jurisdiction of the case, be imprisoned in the County Jail or the House of Correction until such forfeiture, penalty assessment, jail assessment and costs are paid, but not to exceed ninety (90) days.

(2) Other Sanctions. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant or to order the defendant to submit to assessment and rehabilitation or attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.

(3) Forfeiture for Uniform Traffic Offenses. Forfeitures for violations of any traffic regulations set forth in the Wisconsin Statutes adopted by reference in Section 3.02 of this code shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable State Statute, including any variations or increases for subsequent offenses; provided, however, that this subsection shall not permit prosecution under this code of any offense for which an imprisonment penalty or fine may be imposed upon the defendant.

(4) Forfeiture for Parking Violations.

[a] Forfeitures for uniform statewide parking, stopping and standing offenses. The minimum and maximum forfeitures for violation of the offenses described in s. 346.505 through 346.55, Wis. Stats., adopted by reference in Section 3.02 of this code shall be not less than the minimum, nor more than the maximum forfeiture imposed by the Wisconsin Statutes for the comparable offense.

[b] Forfeitures for parking prohibited, Section 3.06. The forfeiture for violation of Section 3.06 of this code shall be not less than Five (\$5.00) Dollars nor more than Forty (\$40.00) Dollars.

(5) Forfeitures for Other Violations. Any person who shall violate any provision of this code for which a penalty is not established by Sub. (3) or (4) of this Section shall be subject to a forfeiture of not less than Ten (\$10.00) Dollars, nor more than Five Hundred (\$500.00) Dollars.

**Section 3.10. ENFORCEMENT.** This ordinance shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.

(1) Applicable Court Procedures. Except where otherwise specifically provided by the laws of the State of Wisconsin or this code, the traffic regulations in this code shall be enforced in the Municipal Court of the Village of River Hills in accordance with the provisions of the

Wisconsin Statutes.

(2) Citations.

[a] Uniform citation and complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions in Chapter 340 and 348 of the Wisconsin Statutes adopted by reference in this code.

[b] Uniform Municipal Citations. The Uniform Municipal Citation shall be used for enforcement of provisions of this code when use of the Uniform Traffic Citation and Complaint is not required by paragraph 2[a] of this Section. A citation issued for violation of the parking regulations set forth in Section 3.06 of this code shall contain or have attached to the citation a notice that the forfeiture for violation of the parking regulations may be discharged by complying with Sub. 3[b] of this Section.

(3) Deposits and Stipulations.

[a] Uniform Traffic Offenses. (1) Persons arrested or issued a citation for violation of traffic offenses in Chapters 340 to 348 of the Wisconsin Statutes adopted by reference in this code shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes.

(1) The deposit and stipulations shall be delivered or mailed to the office of the Police Department.

(2) The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation, and a copy of the receipt within seven (7) days to the Municipal Court.

[b] Parking Violations.

(1) Persons cited for violation of the parking regulations described in Section 3.06 of this code may discharge the penalty thereof and avoid court prosecution by forwarding within ten (10) days of the issuance of the parking citation to the Police Department, the minimum penalty specified for the violation. If not so forwarded, the penalty may be discharged by forwarding within twenty (20) days of the date of the citation to the above-named office twice the minimum penalty. When payment is made as provided in this paragraph, no court costs shall be assessed.

(2) If the alleged violator does not deliver or mail a deposit as provided in sub. 1, within twenty (20) days of the date of the citation, the alleged violator is subject to prosecution pursuant to law.

(3) Officers receiving deposits for non-moving traffic violations under this subsection shall pay over such deposits to the Village Treasurer within seven (7) days of receipt. Such payment shall be accompanied by an itemized statement for each deposit, stating the offense charged and the name of the person who made the deposit.

**Section 3.11. DIVISIBILITY OF PROVISIONS.** If any section, subsection, sentence, clause or phrase of this Chapter is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The Village board hereby declares that it would have enacted this Chapter and each section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.